

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VS.

CAUSE NO. 4:10-cr-00009-DCB-LRA

PENNI TINGLE

ORDER

BEFORE THE COURT is Defendant's Motion for Reconsideration and Alteration of the sentence imposed by the Court on October 4, 2011. Having carefully considered the Motion together with Defendant's written statement which accompanied the Motion, the Court finds that the Defendant, at sentencing, was well represented by counsel who made a compelling argument on behalf of his client. Based upon the presentence report, the statements of the defendant at sentencing together with those made by counsel, the Court imposed a split sentence, allowing five (5) months to be served in a home confinement program. Further responding to the Motion, the Court finds that the sentence imposed was within the advisory guideline range and was ordered only after the Court also considered all statutory factors set forth in 18 U.S.C. § 3553(a) and all subsections thereto. Having further reflected upon the sentence, as requested in the Motion, the Court finds, moreover, that the sentence was appropriate under the circumstances and, therefore, the Motion for Reconsideration is hereby DENIED.

SO ORDERED this the 28th day of October, 2011.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE